

**ZM07-009/CV07-027**

**510 Mt. Vernon Highway**

***Mount Vernon Presbyterian School***

J M W D

MPP  
~~XXXXXXXXXX~~





---

To: John McDonough, City Manager

From: Nancy J. Leathers, Director of Community Development

Date: November 5, 2007 For Submission onto the onto the November 20, 2007 City Council meeting

Agenda Item: ZM07-009/CV07-027 510 Mount Vernon Highway, Request for a zoning modification to the conditions of Fulton County use permit case U03-0009/CV03-0077, with concurrent variances

---

***CMO (City Manager's Office) Recommendation:***

**APPROVAL CONDITIONAL** of the request for a zoning modification to the conditions of Fulton County use permit case U03-0009/CV03-0077 and the requested concurrent variances.

***Background:***

The site is located on the north side of Mount Vernon Highway approximately 350 feet west of the intersection with Glenridge Drive. The property is zoned R-2 (Single Family Dwelling District) conditional under Fulton County use permit case U03-0009/CV03-0077 and is currently under development with the Mount Vernon Presbyterian School. The subject property is located within the Urban District of the Sandy Springs Overlay District.

***Discussion:***

The applicant is requesting a zoning modification to the conditions of Fulton County use permit case U03-0009/CV03-0077 as follows:

1. To modify condition 2.a. to substitute the site plan submitted as a part of this request with the plan originally approved for the Mount Vernon Presbyterian School.

Additionally, the applicant is requesting one (1) concurrent variance in association with the zoning modification petition as follows:

1. To allow the proposed tennis courts to encroach sixty-five (65) into the required 100 foot active outdoor recreation area setback adjacent to residentially zoned property along the north property line (Section 19.4.40.B.4, *School, Private or Special*).

***Concurrent Review:***

The staff held a Focus Meeting on October 3, 2007 at which the following city departments provided comments:

- Building Division
- Development Division
- Fire Department
- Transportation Division

In addition, the following external departments were contacted for comment:

- Atlanta Regional Commission
- Fulton County Board of Education
- Fulton County Department of Environment and Community Development
- Fulton County Department of Public Works
- Fulton County Department of Health and Wellness
- Sandy Springs Council of Neighborhoods
- Sandy Springs Revitalization Inc.
- Georgia Department of Transportation  
*(comments received)*
- City of Atlanta Department of Watershed Management
- U.S. Postal Service Address Management Systems
- MARTA
- Fulton County Emergency Management  
*(comments received)*



## Zoning Modification Petition No. ZM07-009/CV07-027

### HEARING & MEETING DATES

Community Zoning Information Meeting	Design Review Board Meeting	Mayor and City Council Hearing
September 25, 2007	October 9, 2007	November 20, 2007

### APPLICANT/PETITIONER INFORMATION

Property Owners	Petitioner	Representative
Mount Vernon Presbyterian School	Mount Vernon Presbyterian School	Nathan V. Hendricks, III

### PROPERTY INFORMATION

Address, Land Lot, and District	510 Mount Vernon Highway Land Lot 35, 71, and 72, District 17
Council District	3
Frontage and Area	801.36 feet of frontage along the north side of Mount Vernon Highway and 612.31 feet of frontage along the west side of Glenridge Drive. The subject property has a total area of 30.20 acres.
Existing Zoning and Use	R-2 (Single Family Dwelling District) conditional under U03-0009/CV03-0077, currently under development with the Mount Vernon Presbyterian School.
Overlay District	Urban District
Interim 2025 Comprehensive Future Land Use Map Designation	Residential, 2 to 3 units per acre (R2-3)
Proposed Use	Private School

### INTENT

### MODIFICATION OF CONDITION 2.A. OF U03-0009/CV03-0077 APPROVED BY THE FULTON COUNTY BOARD OF COMMISSIONERS ON AUGUST 6, 2003

The applicant is requesting a zoning modification to the conditions of Fulton County use permit case U03-0009/CV03-0077 as follows:

1. To modify condition 2.a. to substitute the site plan submitted as a part of this request with the plan originally approved for the Mount Vernon Presbyterian School.

Additionally, the applicant is requesting one (1) concurrent variance in association with the zoning modification petition as follows:

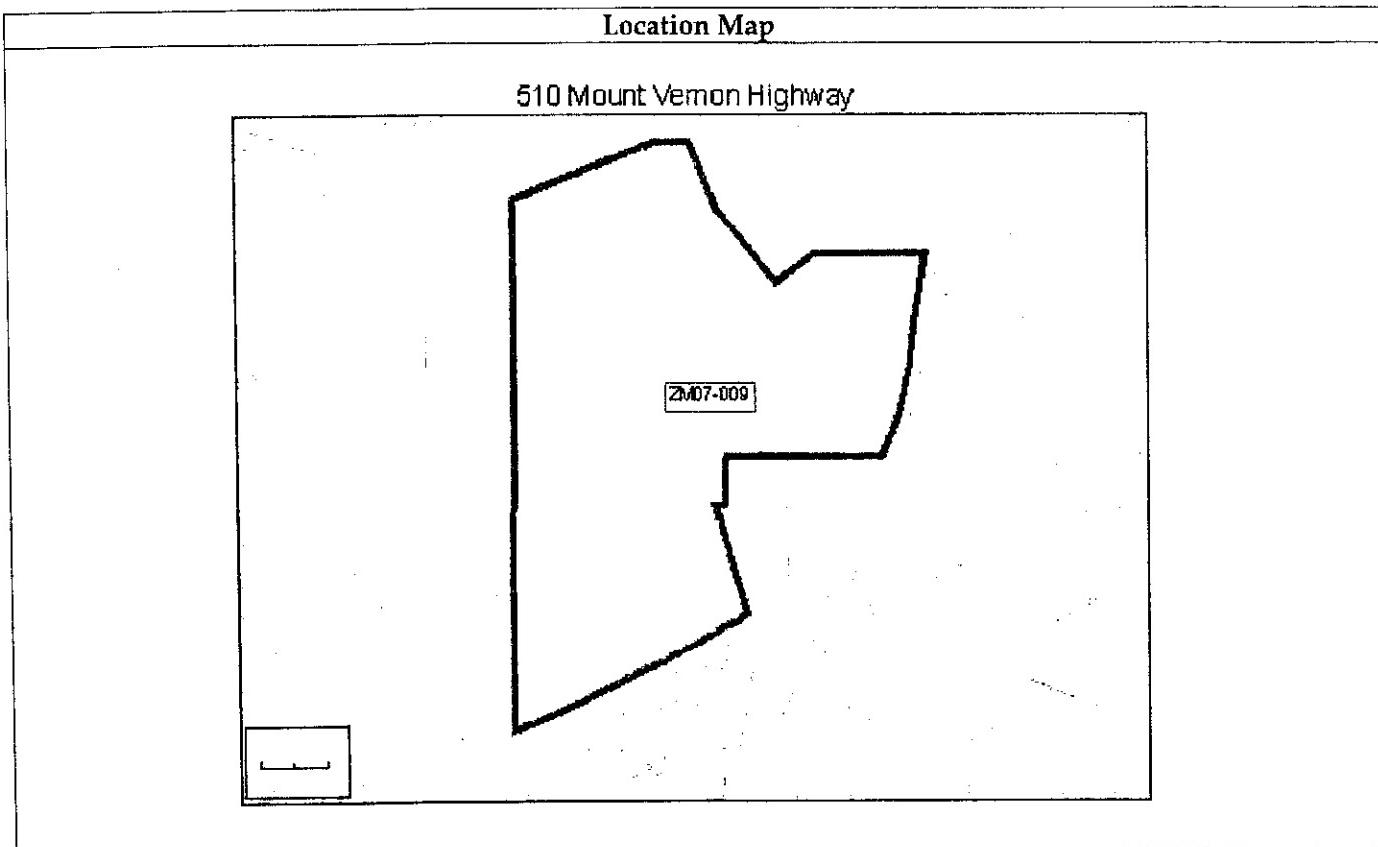
1. To allow the proposed tennis courts to encroach sixty-five (65) into the required 100 foot active outdoor recreation area setback adjacent to residentially zoned property along the north property line (Section 19.4.40.B.4, *School, Private or Special*).

### DEPARTMENT OF COMMUNITY DEVELOPMENT RECOMMENDATION ZM07-009 - APPROVAL CONDITIONAL CV07-027 - APPROVAL

#### DESIGN REVIEW BOARD RECOMMENDATION

The application was heard at the September 25, 2007 Design Review Board meeting. The Board deferred the petition to the October 9, 2007 meeting to allow the applicant time to get comments from the neighboring residential property owner to the north regarding the proposed tennis courts.

The applicant submitted a letter from the neighboring property owner to the north in support of the proposal. The Board recommended approval of the application (6-0, Gregory, Mobley, Landeck, Porter, Rizzo, and Westmoreland for; Lichtenstein absent).



**BACKGROUND**

The site is located on the north side of Mount Vernon Highway approximately 350 feet west of the intersection with Glenridge Drive. The property is zoned R-2 (Single Family Dwelling District) conditional under Fulton County use permit case U03-0009/CV03-0077 and is currently under development with the Mount Vernon Presbyterian School. The subject property is located within the Urban District of the Sandy Springs Overlay District.

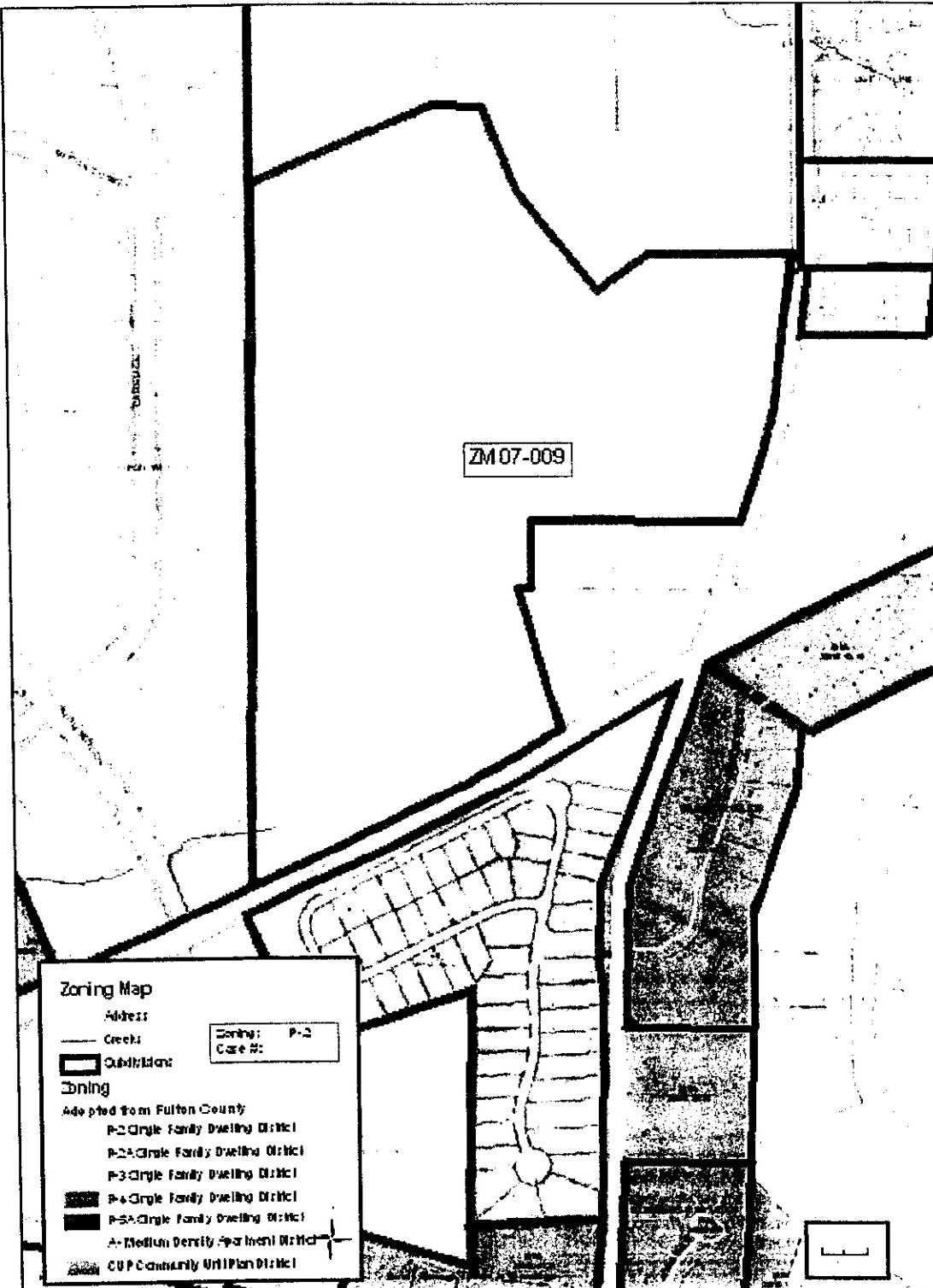
**EXISTING LAND USE AND ZONING OF ABUTTING PROPERTY**

SUBJECT PETITION ZM07-009 CV07-027	Proposed Use		Land Area (Acres)	Square Footage	Density (Square Feet per Acre)
	Mount Vernon Presbyterian School		30.20	225,000	7,450.34
Location in relation to subject property	Zoning	Use	Land Area (Acres)	Square Footage or Number of Units	Density (Square Feet or Units Per Acre)
North	R-2	6450 Glenridge Drive - single family residence	10.72	1	0.09
East	TR conditional Z91-0042	Glenridge Close subdivision	10.26	43	4.30
East	TR conditional Z85-0038	Glenridge Commons subdivision	2.41	15	6.22
East	TR conditional Z91-0042	Glenridge Square subdivision	1.003	5	5.00
East	R-2	First Baptist Church of Sandy Springs - 6321 Glenridge Drive	6.93	N/A	—
South	R-2 U04-0021	Northside Independent Methodist Church - 590 Mount Vernon Highway	3.53	21,200	6,005.67
South	R-5A conditional Z01-0011 Z01-0019	Mount Vernon Oaks subdivision	4.99 3.45	24 19	5 5
South	CUP conditional Z98-0032	Glenwick subdivision	3.195	28	8.75
West	R-3	Mount Vernon Woods subdivision	200±	254	1.27

ZM07-009/CV07-027

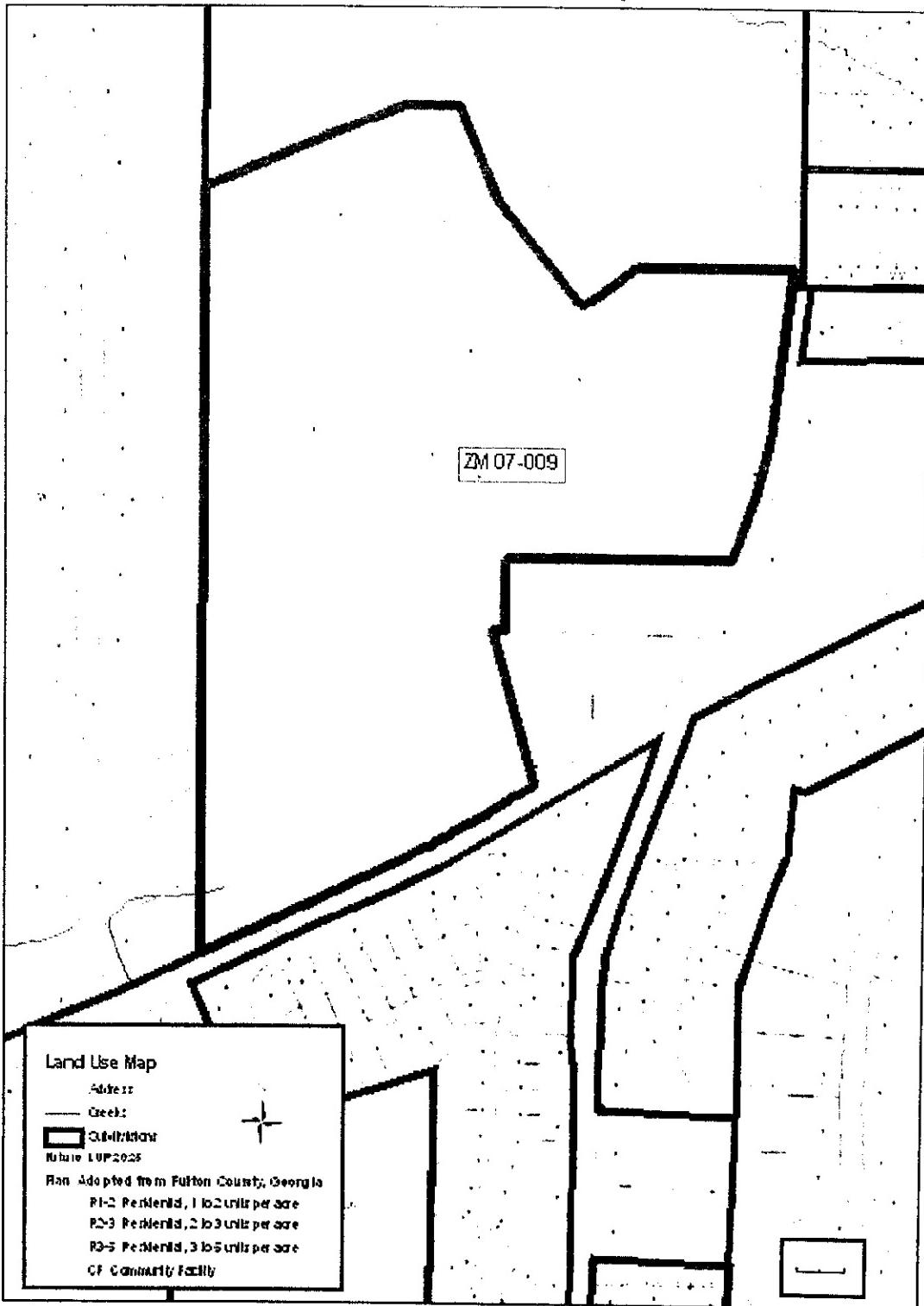
Zoning Map

510 Mount Vernon Highway



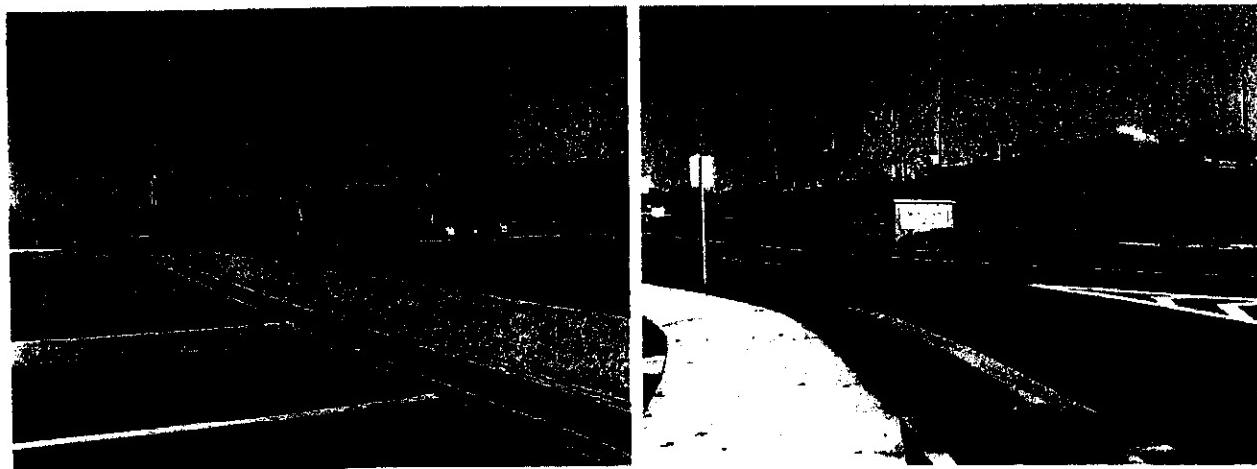
Future Land Use Map

510 Mount Vernon Highway

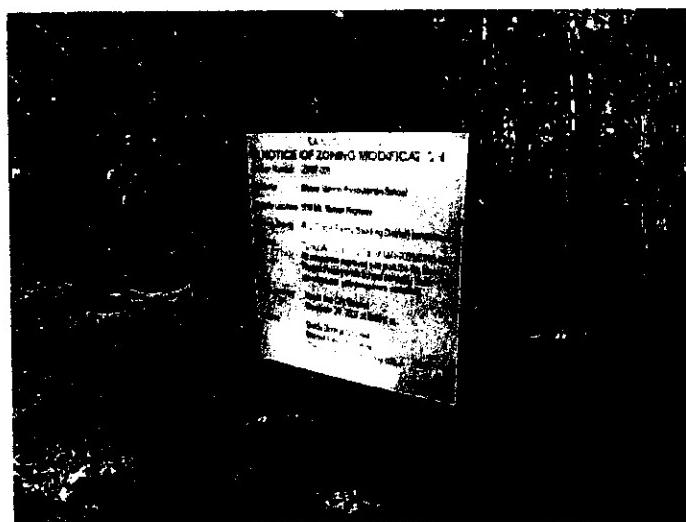


Prepared by the City of Sandy Springs Department of Community Development for the Mayor and City Council Hearing on November 20, 2007

ZM07-009/CV07-027



Photograph 1. Mount Vernon Presbyterian School (subject property).



Photograph 2. Notice of Zoning Modification Sign.



Photograph 3. First Baptist Church of Sandy Springs (east of subject property).



Photograph 4. Glenwick subdivision (south of subject property).

ZM07-009/CV07-027



Photograph 5. Mount Vernon Woods subdivision (west of subject property).

## APPLICANT'S INTENT

Under the current petition the applicant is requesting a zoning modification to the conditions of Fulton County use permit case U03-0009/CV03-0077 as follows:

1. To modify condition 2.a. to substitute the site plan submitted as a part of this request with the plan originally approved for the Mount Vernon Presbyterian School.

The site plan submitted depicts four (4) proposed changes to the existing approved site plan for the school and one (1) possible change. First, the applicant is proposing the addition of a field house at the northwest side of the subject property. Second, the applicant is proposing the addition of a chapel at the east side of the property adjacent to the existing classroom building. Third, the applicant is proposing the addition of a concession stand and restrooms at the southwest side of the property adjacent to the baseball field. Finally, the applicant is proposing the addition of an administration/athletic support building on the north side of the baseball field.

If the administration building is constructed, this would require that the proposed tennis courts would possibly be relocated to the northeast corner of the subject property adjacent to Glenridge Drive and the residential property to the north.

*The staff is of the opinion that the applicant's request to substitute the site plan is necessary in view of the proposed building additions and the possible relocation of the tennis courts on the site. Therefore, the staff recommends APPROVAL of this modification request should the Mayor and City Council decide to consider the current zoning modification petition.*

## CONCURRENT VARIANCE REQUEST AND ANALYSIS

The applicant is requesting one (1) concurrent variance in association with the zoning modification petition as follows:

1. To allow the proposed tennis courts to encroach sixty-five (65) into the required 100 foot active outdoor recreation area setback adjacent to residentially zoned property along the north property line (Section 19.4.40.B.4, *School, Private or Special*).

The applicant has indicated that relief from the recreation area setback requirement is necessary due to the narrow and confining size and shape of the subject property. The applicant has also indicated that the request would not have an adverse effect of the health, safety, and welfare of the general public.

*The staff is of the opinion that the request to encroach into the recreation area setback is in harmony with the intent of the Zoning Ordinance and would not be a detriment to the public due the support of the neighboring property owners of the location of the tennis courts within this area of the site. Therefore, the staff recommends APPROVAL of this concurrent variance request.*

**DEPARTMENT COMMENTS**

The staff held a Focus Meeting on October 3, 2007 at which the following departmental comments were provided:

<b>BUILDING AND DEVELOPMENT DIVISION</b>	Sandy Springs Engineering Plan Reviewer	<ul style="list-style-type: none"> <li>• There are no building requirements that need to be addressed at this time.</li> </ul>
	Sandy Springs Building Plan Reviewer	<ul style="list-style-type: none"> <li>• There are no landscape requirements that need to be addressed at this time.</li> </ul>
	Sandy Springs Landscape Architect/Arborist	<ul style="list-style-type: none"> <li>• There are no landscape requirements that need to be addressed at this time.</li> </ul>
		<ul style="list-style-type: none"> <li>• No fire hydrants are shown on the building site. Refer to 120-3-3, modification to the 2003 IFC, "508.5.1 Where required. Where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than 500 feet (152 m) from a hydrant on a fire apparatus access road, as measured by an approved route around the exterior of the facility or building, on-site fire hydrant mains shall be provided where required by the local responding fire department or agency.</li> </ul>
<b>FIRE DEPT.</b>	Sandy Springs Fire Protection Engineer	<p>Exceptions:</p> <ol style="list-style-type: none"> <li>1. For group R-3 and Group U occupancies, the distance requirement shall be 600 feet (183 m).</li> <li>2. For buildings equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2, the distance requirement shall be 600 feet (183 m)."</li> </ol> <ul style="list-style-type: none"> <li>• Fire hydrants may not be omitted unless written approval by the local responding fire department or agency is submitted to this office.</li> </ul>
<b>TRANSPORTATION</b>	Sandy Springs Department of Transportation, Planning Engineer	<ul style="list-style-type: none"> <li>• Right-of-way dedication: 30' from centerline of Glenridge Drive; 30' from centerline of Mt. Vernon Highway</li> <li>• Right-of-way reservation: 55' from centerline of Glenridge Drive; 45' from centerline of Mt. Vernon Highway</li> </ul>
	Georgia Department of Transportation	<ul style="list-style-type: none"> <li>• There are no GDOT requirements that need to be addressed at this time.</li> </ul>

The staff has not received any additional comments from the Fulton County Board of Education. The staff has received additional comments from the Fulton County Emergency Services Department.

**STAFF RECOMMENDATION**

The staff recommends APPROVAL CONDITIONAL of the zoning modification request and APPROVAL of the associate concurrent variance. The staff recommends that the conditions of Fulton County use permit case U03-0009/CV03-0077 be modified to be read as follows. Where these revisions conflict with the stipulations and offerings contained in the Letter of Intent, these conditions shall supersede unless specifically stipulated by the Mayor and City Council.

1. To the owner's agreement to:
  - a. Restrict the use of the subject property to a private school at a maximum density of 7,450.34 gross square feet per acre zoned or a total gross floor area of 225,000 square feet, whichever is less.
  - b. Restrict the number of students in the private school to 250 in the Middle School and 600 in the Upper School.
2. To the owner's agreement to abide by the following:
  - a. To the ~~revised~~ site plan received by the Department of Environment and Community Development on ~~July 24, 2003~~ September 28, 2007. Said site plan is conceptual only and must meet or exceed the requirements of the Zoning Resolution Ordinance and these conditions prior to the approval of a Land Disturbance Permit. Unless otherwise noted herein, compliance with all conditions shall be in place prior to the issuance of the first Certificate of Occupancy.
3. To the owner's agreement to the following site development considerations:
  - a. No more than two (2) exit/entrances on Glenridge Drive or as may be approved by the ~~Fulton County~~ Sandy Springs Traffic Engineer. Curb cut location and alignment are subject to the approval of the ~~Fulton County~~ Sandy Springs Traffic Engineer.
  - b. No more than 1 exit/entrance on Mount Vernon Highway or as may be approved by the ~~Fulton County~~ Sandy Springs Traffic Engineer. Curb cut location and alignment are subject to the approval of the ~~Fulton County~~ Sandy Springs Traffic Engineer.
  - c. To allow parking within the minimum front yard along Glenridge Drive. (2003VC-0077 NFC)
  - d. To prohibit outdoor lighting of the recreation fields, which would allow the use of such fields beyond sunset.
  - e. To direct all loudspeakers away from the property line closest to such speaker and toward the interior of the property. Any outdoor sound system shall be designed to minimize the impact on the surrounding property owners with speakers configured so as to direct the sound to the intended audience on the subject site.
  - f. To install a 6-foot high black vinyl coated chain link fence along the west property line between the subject site and the Mount Vernon Woods Subdivision. Said fence shall contain no gates. All fences shall require a separate Building Permit and, unless otherwise noted herein, compliance with all conditions associated with the construction of said fence shall be in place prior to the issuance of the first Certificate of Occupancy.

- g. No lighting shall be installed within 50 feet of the west property line.
  - h. Any lighting installed within 125 feet of the west property line and/or along the main entry road off Mount Vernon Highway shall be no taller than 20 feet. Light fixtures shall be baffled or diffused in a manner which minimizes the impact on the neighboring residential property.
  - i. Trash collection shall be limited to between the hours of 9:00 AM and 4:00 PM. All trash receptacles shall be screened from view from the adjoining residentially zoned property to the west and north.
  - j. Delivery hours shall be limited to the hours of 7:30 AM to 7:30 PM.
  - k. Grounds maintenance shall be limited to the hours of 9:00 AM to 5:00 PM Monday through Friday and 9:00 AM to 4:00 PM on Saturday. Ground maintenance shall be permitted on Sunday only on the following exceptional basis:
    - i. The inability to conduct any grounds maintenance work during four (4) of the preceding six (6) days due to inclement weather;
    - ii. Emergency situations;
    - iii. The cleaning or repairing of storm damage.
  - l. To allow the proposed tennis courts to encroach sixty-five (65) into the required 100 foot active outdoor recreation area setback adjacent to residentially zoned property along the north property line as shown on the site plan received by the Department of Community Development dated September 28, 2007 (CV07-027).
4. To the owner's agreement to abide by the following requirements, dedication and improvements:
- a. Reserve for ~~Fulton County~~ Sandy Springs along the necessary property frontage of the following roadways, prior to the approval of a Land Disturbance permit, sufficient land as necessary to provide for compliance with the Comprehensive Plan. All building setback lines shall be measured from the dedication but at no time shall a building be allowed inside the area of reservation. All required landscape strips and buffers shall straddle the reservation line so that the reservation line bisects the required landscape strip or buffer. At a minimum, 10 feet of the required landscape strip or buffer shall be located outside the area of reservation. All required tree plantings per Article 4.23 shall be placed within the portion of the landscape strip or buffer that lies outside the area of reservation.
    - 55 feet from centerline of Glenridge Drive;
    - 45 feet from centerline of Mount Vernon Highway.
  - b. Dedicate at no cost to ~~Fulton County~~ Sandy Springs along the entire property frontage, prior to the approval of a Land Disturbance Permit, sufficient land as necessary to provide the following rights-of-way, and dedicate at no cost to ~~Fulton County~~ Sandy Springs such additional right-of-way as may be required to provide at least 10.5 feet of right-of-way from the back of curb of all abutting road improvements, as well as allow the necessary construction easements while the rights-of-way are being improved:

- 30 feet from centerline of Glenridge Drive;
- 30 feet from centerline of Mount Vernon Highway.
- c. Provide a deceleration lane for each project entrance or as may be required by the ~~Fulton County~~ Sandy Springs Traffic Engineer.
  - d. Provide a left turn lane for each project entrance or as may be required by the ~~Fulton County~~ Sandy Springs Traffic Engineer.
  - e. Improve the intersection of Mount Vernon Highway and Glenridge Drive as may be approved by the ~~Fulton County~~ Sandy Springs Traffic Engineer.
  - f. Provide signal upgrades at the intersection of Mount Vernon Highway and Glenridge Drive as required by the ~~Fulton County~~ Sandy Springs Traffic Engineer.
  - g. Provide a traffic impact mitigation plan to reduce the number of vehicular trips generated by the development to the ~~Fulton County~~ Sandy Springs Traffic Engineer at the concept review phase.
  - h. Provide a traffic impact study for the development to the ~~Fulton County~~ Sandy Springs Traffic Engineer at the concept review phase.
5. To the owner's agreement to abide by the following:
- a. To contact the Director of Public Works, prior to the application for a Land Disturbance Permit with the Department of ~~Environment and~~ Community Development, to meet with the ~~Fulton County~~ Sandy Springs Traffic Engineer. A signed copy of the results of these meetings will be required to be submitted along with the application for a Land Disturbance Permit.
  - b. Prior to the application for a Land Disturbance Permit with the Department of ~~Environment and~~ Community Development, arrange an on-site evaluation of existing specimen trees/stands, buffers, and tree protection zones within the property boundaries with the ~~Fulton County~~ Sandy Springs Arborist. A signed copy of the results of these meetings will be required to be submitted along with the application for a Land Disturbance Permit.
  - c. Prior to the application for a Land Disturbance Permit (LDP) with the Department of ~~Environment and~~ Community Development, the developer/engineer shall contact the ~~Public Works Department, Water Service Division~~ Department of Community Development and arrange to meet with the ~~Fulton County~~ Sandy Springs Drainage Engineer on-site.
  - d. The engineer/developer is required to submit along with the application for a Land Disturbance Permit (LDP) signed documentation verifying the storm water concept plan approval.
  - e. Provide at the LDP approval documentation (such as cross-section, profile, etc.) describing all existing natural streams, creeks, or draws geometry, within the proposed development boundary and provide the appropriate bank erosion protection for the conveyance system after development.
  - f. The developer/engineer is responsible to demonstrate to the ~~County~~ City by engineering

Prepared by the City of Sandy Springs Department of Community Development for the Mayor and City Council Hearing on November 20, 2007

analysis/computation at the Land Disturbance Permit application that the post-development storm water runoff discharge rate and velocity leaving the site are controlled to 75 percent of the pre-development storm water runoff conditions for the 1-year storm up to and including the 10-year storm event frequencies.

- g. Prior to the application for a Land Disturbance Permit, the developer/engineer shall submit to the ~~Department of Public Works, Surface Water Management Section~~ Department of Community Development, a project Storm Water Concept Plan. This concept plan shall include a preliminary drawing describing the proposed location of the project surface water quality and quantity facilities/Best Management Practices (BMP's), the existing downstream off-site drainage conveyance system that the proposed development runoff will impact, and the discharge path(s) from the facilities'/BMP's outlet(s) through the offsite drainage system to the appropriate receiving waters. As part of the concept plan, a preliminary capacity analysis shall be performed on the identified offsite drainage system to identify the capacity of all points of constraint (pipes, culverts, etc.), the point in the stream channel where 25 year storm peak flow is the greatest percentage of the channel capacity, and the impact of post developed flows on these points. The critical capacity points shall be selected based upon the engineers' professional judgment and limited field survey data.
- h. The developer/engineer is responsible to conceptually describe to the County City at the Storm Water Concept Plan approval phase post development structural Best Management Practices (BMP's) to be utilized to reduce surface water pollution impact associated with the proposed development. The detailed engineering analysis and specifications of BMP's shall be included as a part of the LDP storm water submittal.
- i. Where storm water currently drains by sheet flow and it is proposed to be collected to and/or discharged at a point, the discharge from any storm water management facility shall mimic pre-development sheet flow conditions and shall as a minimum utilize a level spreader as described in "Fulton County Storm Water Management Storm Drainage Design and Criteria Manual, December 2000".
- j. At the Concept review stage provide information on the Structural Best Management Practices (BMP's) that will be used to remove pollutants, such as organic matter, oil and grease from parking lot surface water runoff leaving the site. An assessment of the use of adsorptive filter catch basin inserts shall be provided, and selected BMP's shall be described and located on the storm water concept plan.

#### **Attachments**

Letter of Intent dated received September 4, 2007

Site Plan dated received September 28, 2007

Comment Letter from the Fulton County Emergency Services Department dated received October 5, 2007

Comment Letter from the Georgia Department of Transportation dated received October 2, 2007

Letters of Support from Sandy Springs Citizens

## LETTER OF INTENT

The property contains approximately 30.2 acres and is bounded on the south by Mount Vernon Highway and on the east by Glenridge Drive. (the "Property"). The Property is zoned to the R-2 Classification with a Special Use Permit for a Private School pursuant to Petition Number 2003U-0002 NFC and 2003VC-0077 NFC.

As the Property is being developed for the Private School use approved, a need to refine the Site Plan has become evident. Accordingly, the Applicant requests that Condition 2.a. be modified to delete the Site Plan referenced thereunder and substitute and place in lieu thereof the Site Plan filed simultaneously herewith. The changes consist of two support buildings being positioned along the western side of the Property to support academic, fitness and athletic needs. Also requested is the ability to construct in the area originally planned for tennis courts either the tennis courts, parking or a building with any parking associated with a building being counted toward the total 341 parking spaces ultimately required for the Property. Lastly, a small chapel is to be located to the southeast of the existing middle school building along with an additional future pedestrian bridge from the middle school drop-off to future parking. Given the request to possibly relocate the tennis courts, the Applicant requests a Concurrent Variance pursuant to Article 19,3.8.B.2. to allow the possible relocation of the tennis courts at the northeast corner of the Property within 35 feet of the northerly Property line and not the 100 foot buffer otherwise required. The Property is burdened in this area with having a narrow and confining shape and size which condition is unique to the Property. The approval of this Concurrent Variance would not have any adverse effect on the health, safety and welfare of the general public and would be in harmony with the intent of the Zoning Ordinance. Accordingly, this Modification and Concurrent Variance Application is entirely appropriate and the appropriateness of this Application and the constitutional assertions of the Applicant are more particularly stated and set forth on Exhibit "A" attached hereto and by reference thereto made a part hereof.

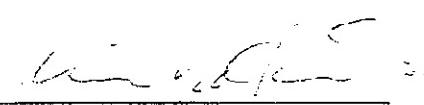
RZ07 031

Now, therefore the Applicant requests that this Application for Modification and Concurrent Variance be approved as submitted in order that the Applicant be able to proceed with the lawful use and development of the Property.

RECEIVED  
Community Development  
Commissioner, Springs  
APPLICANT:

Mt. Vernon Presbyterian School, Inc

By: David W. Barclift  
David W. Barclift  
Its: Chairman

  
Nathan V. Hendricks III  
Attorney for the Applicant

6085 Lake Forrest Drive  
Suite 200  
Atlanta, Georgia 30328  
(404) 255-5161

RZ07 031

EXHIBIT "A"

APPROPRIATENESS OF APPLICATION

AND

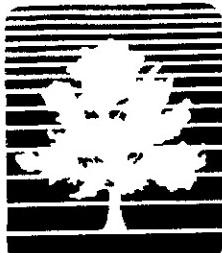
CONSTITUTIONAL ASSERTIONS

The refusal to approve the Modification requested will result in a taking of the Applicant's valuable property rights in violation of the just compensation clause of the Constitution of Georgia 1983, Article 1, Section 1, Paragraph 1 and the just compensation clause of the Fifth Amendment to the United States Constitution. Further, such refusal to approve the requested Modification discriminates in an arbitrary, unreasonable, capricious and unconstitutional manner between the Applicant and owners of similarly situated property in violation of Article 1, Section 1, Paragraph 2 of the Constitution of the State of Georgia and in violation of the Equal Protection Clause of the Fourteenth Amendment to the United States Constitution. Additionally, such refusal to approve the requested Modification would constitute a gross abuse of discretion and would constitute a violation of the Applicant's rights to substantive and procedural due process as guaranteed by the Constitution of the State of Georgia 1983, Article 1, Section 1, Paragraph 1 as well as the Fifth and Fourteenth Amendments to the United States Constitution.

Any approval of this Modification request subject to conditions which are different from the conditions requested by the Applicant, to the extent such different conditions would have the effect of further restricting the Applicant's utilization of the subject property would also constitute an arbitrary, capricious and discriminatory act and would likewise violate each of the provisions of the State and Federal Constitutions set forth hereinabove. The refusal to approve this requested Modification would result in a real, substantial and significantly detrimental hardship to be borne by the Applicant without any corresponding public benefit or legitimate connection to public health, safety, morals and general welfare. The community at large will not be affected by the approval of the requested Modification.

RECEIVED  
City of Seneca, South Carolina  
Community Development

RZ07 031



Department of the Environment and Community Development  
141 Pryor Street, SW  
Suite 2085  
Atlanta, GA 30303

RECEIVED

*City of Sandy Springs  
Community Development*

October 1, 2007

City of Sandy Springs  
Department of Community Development  
Planning and Zoning Division  
7840 Roswell Road, Building 500  
Sandy Springs, Georgia 30350

To Whom It May Concern:

I am in receipt of your recent zoning package soliciting comments on the upcoming City of Sandy Springs zoning agenda for the November Planning Commission, December Mayor and City Council Meetings. I have reviewed all items within the package and find none of them to have a significant impact on Unincorporated Fulton County. Thank you for the opportunity to review the requests.

Sincerely,

Randy Beck,  
Deputy Director, E&CD

# **Support**

THOMAS K. GLENN, II

# RECEIVED

OCT 15 2007

October 15, 2007

City of Sandy Springs  
Community Development

Mr. Jeff Jackson  
Head of School  
Mount Vernon Presbyterian School  
471 Mt. Vernon Highway, N.E.  
Atlanta, Georgia 30308

Dear Jeff:

RE: Mount Vernon Presbyterian School  
510 Mount Vernon Highway NE  
Zoning Modification / Concurrent Variance  
ZM07-009 / CV07-027

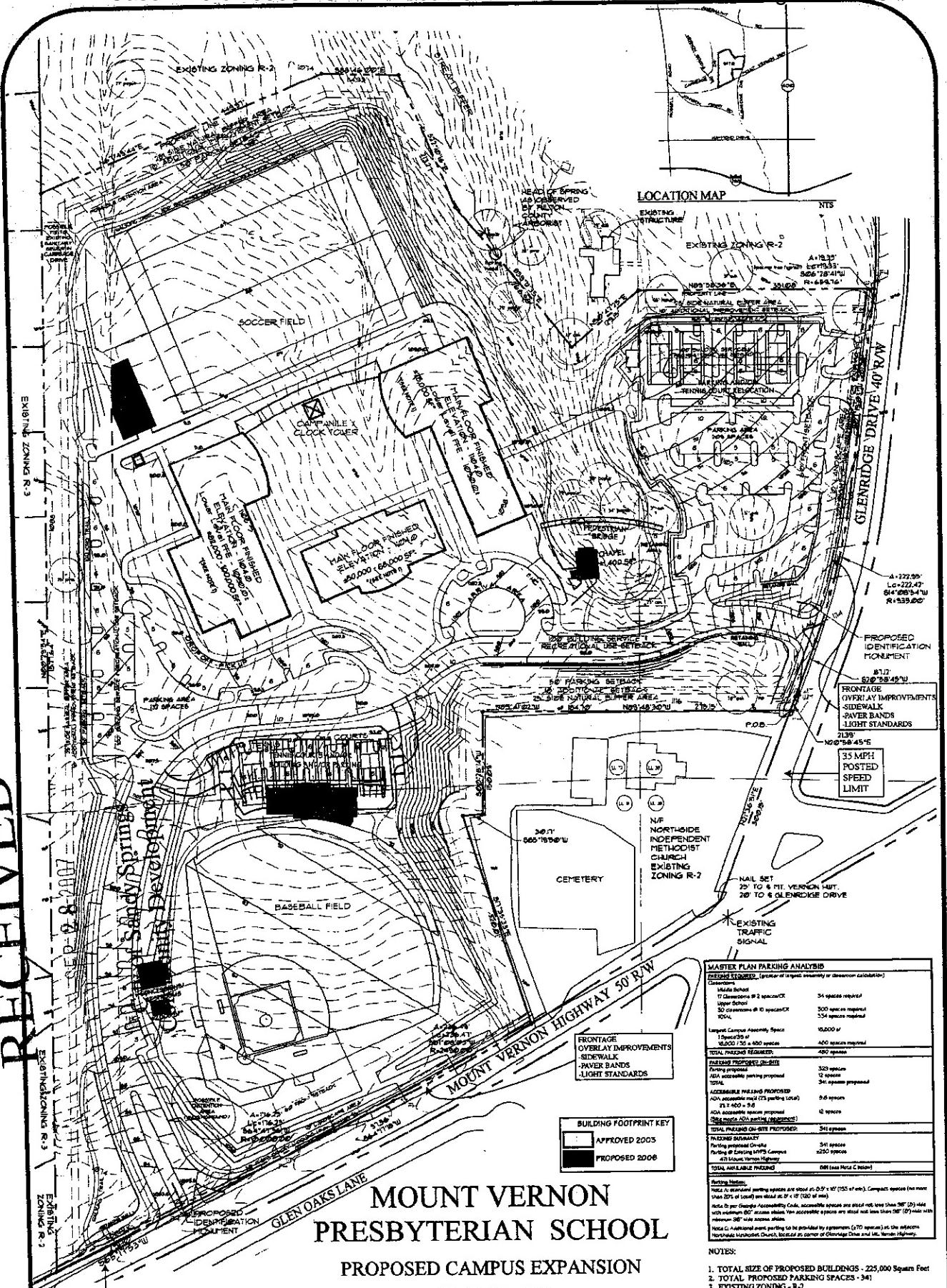
I have met with representatives of the design team for Mount Vernon Presbyterian School and have reviewed the modified site plan drawing dated September 4, 2007. I am in agreement with both the proposed site plan modifications and the concurrent zoning request which reduces the recreational setback at the northeastern property line from 100' to 35' which would allow tennis courts to be constructed in that area. It is my understanding that restrictions concerning no lighting of the School's outdoor recreational facilities apply to the tennis courts in the referenced location, as well.

Sincerely,



1201 WEST PEACHTREE STREET, NORTHWEST • SUITE 5000 • ATLANTA, GEORGIA 30309  
TELEPHONE 404 • 815 • 4506 FACSIMILE 404 • 795 • 9168  
EMAIL TOM@GLENNPMILY.COM

RECEIVED



**MOUNT VERNON  
PRESBYTERIAN SCHOOL**

May 29, 2003

May 29, 2005  
revised: July 10, 2005

revised: July 10, 2003

September 28, 2007

MASTER PLAN PARKING ANALYSIS	
PERIODIC (Annual or biannual) Calculations	
<b>Classrooms:</b>	
Middle School	34 spaces required
Upper School	300 spaces required
30 classrooms @ 10 spaces/CR	334 spaces required
104A	
Lunch/Campus Assembly Space	10,000' M
1000' x 10' = 10,000 ft <sup>2</sup>	
VUSCO = 150 / 100 spaces	450 spaces required
<b>TOTAL PARKING REQUIRED:</b>	<b>480 spaces</b>
<b>PARKING PROVIDED ON-SITE</b>	
ADA accessible parking proposed	320 spaces
ADA accessible parking provided	12 spaces
<b>TOTAL:</b>	<b>341 spaces proposed</b>
<b>ADDITIONAL PARKING PROVIDED</b>	
ADA accessible max 72 (parking total)	9.6 spaces
21 x 400 = 9.6	
ADA accessible maximum (72 spaces)	12 spaces
ADA accessible maximum (72 spaces)	12 spaces
<b>TOTAL PROVIDED ON-SITE PROVIDED:</b>	<b>341 spaces</b>
<b>PARKING PROVIDED OFF-SITE</b>	
Parking proposed On-Site	341 spaces
Parking proposed Off-Site (VUSCO Campus)	320 spaces
<b>TOTAL AVAILABLE PARKING:</b>	<b>661 (less Moral C. Holden)</b>

- NOTES:**

  1. TOTAL SIZE OF PROPOSED BUILDINGS - 225,000 Square Feet
  2. TOTAL PROPOSED PARKING SPACES - 341
  3. EXISTING ZONING - R-2
  4. TOTAL AREA OF SITE - 30.2 ACRES

**5. NO EXISTING BUILDINGS LOCATED**

FULTON COUNTY CASE NUMBERS:  
USE PERMIT 2063 11-009

USE PERMIT 2003 U-009  
CONCURRENT VARIANCE 2003 VC-077



NORTH

A scale bar with tick marks at 30, 60, 120, and 180. The first two segments are each 30 units long, the third is 60 units long, and the final segment is 180 units long.

**Emergency Services Department**  
130 Peachtree St., S.W.  
Suite 3147  
Atlanta, GA 30303

**Alfred R. Moore**  
Director

Emergency Communications/911  
Telephone: 404/730-7900  
FAX: 404/730-7909

Atlanta-Fulton county  
Emergency Management Agency  
Telephone: 404/730-5600

September 6, 2007

Nancy J. Leathers, AICP, Director of Community Development  
City of Sandy Springs  
Department of Community Development  
Planning and Zoning Division  
7840 Roswell Road, Building 500  
Sandy Springs, Georgia 30350

Re: Memorandum dated September 4, 2007  
Preliminary Zoning Agenda

Dear Ms. Leathers:

A review conducted by the Emergency Services Department staff revealed the following:

1. If zoning petitions are approved, there will be an increase in E9-1-1 call volume. The increase may negatively affect the department's call answering speed and service level.
2. Increased traffic volume without road improvements may increase response time of emergency response vehicles thereby reducing effective delivery of emergency services.
3. Addressing of all proposed properties identified within the petitions should comply with the City of Sandy Springs' addressing standards or Fulton County's Addressing Standards to reduce the likelihood of delay in response time.

If I can assist you further in this matter, please contact me at 404-730-7900.

Sincerely,



Alfred R. Moore  
Director



Department of the Environment and Community Development  
141 Pryor Street, SW  
Suite 2085  
Atlanta, GA 30303

**FULTON COUNTY**

**RECEIVED**

September 7, 2007

SEP 13 2007

City of Sandy Springs  
Department of Community Development  
Planning and Zoning Division  
7840 Roswell Road, Building 500  
Sandy Springs, Georgia 30350

**City of Sandy Springs  
Community Development**

To Whom It May Concern:

I am in receipt of your recent zoning package soliciting comments on the upcoming City of Sandy Springs zoning agenda for the October Planning Commission, November Mayor and City Council Meetings. I have reviewed all items within the package and find none of them to have a significant impact on Unincorporated Fulton County. Thank you for the opportunity to review the requests.

Sincerely,

Randy Beck,  
Assistant Director Planning and Zoning